

FORM-PTO-1390 (Rev. 9-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		033285-010	U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)
		10/089,449	
INTERNATIONAL APPLICATION NO. PCT/EP00/09392	INTERNATIONAL FILING DATE 26 September 2000	PRIORITY DATE CLAIMED 30 September 1999	
<b>TITLE OF INVENTION</b> <b>NOVEL COMBINATION OF LOTEPPREDNOL AND <math>\beta_2</math>- ADRENOCEPTOR AGONISTS</b>			
<b>APPLICANT(S) FOR DO/EO/US</b> Istvan SZELENYI <i>et al.</i>			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:</li> </ol> <p>Petition Pursuant to 37 C.F.R. § 1.182 with required fee pursuant to 37 C.F.R. § 1.17(h); Declaration of Hildegard Kuss; German Marriage Certificate; Copy of Notification of Defective Response; Petition for Extension of Time</p>			



21839

(11/02)

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  
10/089,449

INTERNATIONAL APPLICATION NO.  
PCT/EP00/09392

ATTORNEY'S DOCKET NUMBER  
033285-010

21. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b>					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,060.00 (1611)					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$900.00 (1613)					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$750.00 (1610)					
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$720.00 (1609)					
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 (1612)					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$	
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				20 <input type="checkbox"/> 30 <input type="checkbox"/>	\$
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =		X\$18.00 (1615)	\$	
Independent Claims	-3 =		X\$84.00 (1614)	\$	
Multiple dependent claim(s) (if applicable)			+ \$280.00 (1616)	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
Reduction for 1/2 for filing by small entity, if applicable (see below).				+ \$	-
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).				20 <input type="checkbox"/> 30 <input type="checkbox"/>	\$
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property				+ \$	
<b>TOTAL FEES ENCLOSED =</b>				\$	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> Small entity status is hereby claimed.					
b. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.					
c. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Teresa Stanek Rea BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620			<u>SIGNATURE</u> Teresa Stanek Rea NAME		
			30,427 REGISTRATION NUMBER	January 6, 2003 DATE	



21839

(11/02)

**Heiratsurkunde**

F

(Standesamt Dresden -/-

Nr. 201/2001 )

Prof. Dr.-Ing.habil. Hans Joachim Kuß, ---  
römisch-katholisch, -/-

geboren am 20. August 1940 -/-

in Breslau -/-

(Standesamt Breslau III -/-

Nr. 1382/1940 )

wohhaft in Dresden, -/-

und Dr.rer.nat. Hildegard Elisabeth Poppe geb.  
Baer, evangelisch, -/-

geboren am 16. April 1946 -/-

in Klotzsche, jetzt Dresden -/-

(Standesamt Klotzsche, jetzt Dresden -/-

Nr. 24/1946 )

wohhaft in Dresden, -/-

haben am 18. April 2001 -/- vor dem Standesbeamten des

Standesamts Dresden -/-

die Ehe geschlossen.

-/-

Dresden, den 18. April 2001

Der Standesbeamte

(Hempel)

12/408

40 9 8 7 6 35 4 3 2

  
Heiratsurkunde.  
Bestell-Nr. 12/408 („Komplett“ 37)  
Verlag für Standesamtswesen GmbH, Frankfurt am Main - Berlin



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,449	Istvan Szelenyi	033285-010
INTERNATIONAL APPLICATION NO.		
PCT/EP00/09392		
I.A. FILING DATE	PRIORITY DATE	
09/26/2000	09/30/1999	

21839  
 BURNS DOANE SWECKER & MATHIS L L P  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

**URGENT**

CONFIRMATION NO. 9422  
 371 FORMALITIES LETTER



\*OC000000008530693\*

Date Mailed: 07/29/2002

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

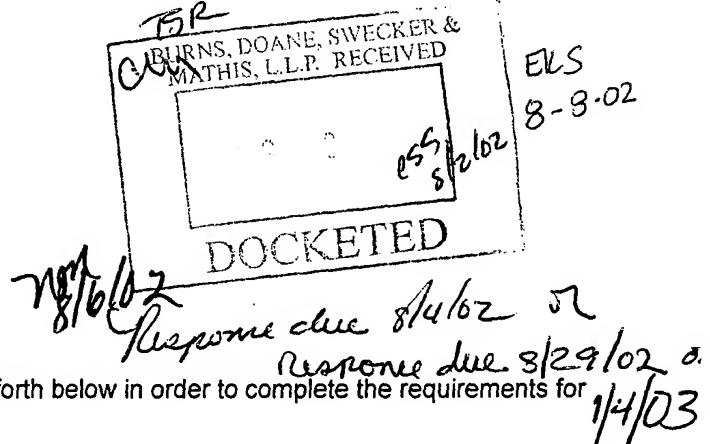
- U.S. Basic National Fee
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Second inventor's last name is different on the declaration than on the published International Application.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).



*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

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Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

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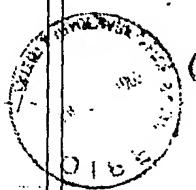
U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,449	PCT/EP00/09392	033285-010

FORM PCT/DO/EO/916 (371 Formalities Notice)

1. Ehemann:

Prof. Dr.-Ing.habil. Kuß -/- Hans Joachim -/- Hochschullehrer -/- 20. August 1940 -/- Breslau -/- Breslau III, 1382/1940 -/- römisch-katholisch -/- -/-	Familienname v. d. Eheschl. Vorname Beruf Geburtsstag Geburtsort Standesamt, Nr. Grundlage der Eintragung	Dr.rer.nat. Poppe geb. Baer -/- Hildegard Elisabeth -/- Biologin -/- 16. April 1946 -/- Klotzsche, jetzt Dresden -/- Klotzsche, jetzt Dresden, 24/1946 -/- evangelisch -/- -/-
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2. Ehefrau:



3. Eheschließung  
von 1 und 2 Eheschließungstag, -ort 18. April 2001, Dresden -/-  
Grundlage der Eintragung

Heiratseintrag Nr. 201, St.Amt Dresden -/-

4. Eltern des Ehemannes:

Vater: Kuß -/- Otto Hermann -/- zul. Dresden -/-	Familienname Vorname Wohnort oder letzter Wohnort	Vater: Dr.-Ing. Baer -/- Otto Johannes Robert -/- zul. Dresden -/-
--	---	--

5. Eltern der Ehefrau:

Mutter: Kuß geb. Strauß -/- Marie Hedwig Martha -/- zul. Dresden -/- Geb.Urk. zu 1 -/-	Familienname Vorname Wohnort oder letzter Wohnort Grundlage der Eintragung	Mutter: Baer geb. Bachmann -/- Irmgard Johanna Wilhelmine -/- zul. Dresden -/- Abst.Urk. zu 2 -/-
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6. Angelegt: -/-

Dresden, den 18. April 2001

Der Standesbeamte

Hempel

Seiget

7. Vermerk über die Staatsangehörigkeit der Ehegatten und Nachweis

-/-	-/-
-----	-----

8. Tod - Tag, Ort, Standesamt und Nr. Todeserklärung, Feststellung der Todeszeit der Ehegatten - Todeszeitpunkt, Gericht, Aktenzeichen, Scheidung, Aufhebung, Nichtigkeit, Feststellung des Nichtbestehens der Ehe - Tag der Rechtskraft, Gericht, Aktenzeichen

- / -	- / -	Weitere Vermerke über die Ehegatten siehe Spalte 10
9. Kinder:	Personenstands- und namensrechtliche Änderungen, Eheschließung: Vor- und Familienname des Ehegatten, Tag, Ort, Standesamt und Nr. oder Tod - Tag, Ort, Standesamt und Nr. Todeserklärung, Feststellung der Todeszeit - Todeszeitpunkt, Gericht, Aktenzeichen	
- / -	- / -	

10. Weitere Vermerke über die Ehegatten und die Kinder: Die Ehegatten führen den Ehenamen Kuß. Den 18.04.2001. -  
Der Standesbeamte Hempel -/-



Die Übereinstimmung der Abschrift - des Auszuges - mit den Einträgen im Familienbuch wird hiermit beglaubigt.